

Air Force Amendment Act 1979

No. 134 of 1979

An Act to amend the *Air Force Act* 1923.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Air Force Amendment Act* 1979.¹ Short title, &c.

(2) The *Air Force Act* 1923² is in this Act referred to as the Principal Act.

2. (1) Subject to sub-section (2), this Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement

(2) Sub-section 4 (1) and section 6 shall come into operation on the day on which sub-section 6 (1) of the *Defence Amendment Act* 1979 comes into operation.

3. Section 3 of the Principal Act is amended by adding at the end thereof the following sub-sections: Application of Defence Act

“(2) Subject to this Act, Part IIIA of the Defence Act applies to and in relation to the Air Force and the members of that Force.

“(3) In sub-section (2), a reference to this Act does not include a reference to the regulations.”

4. (1) Section 8 of the Principal Act is amended by omitting paragraphs (a) to (e) (inclusive) of sub-section (7) and substituting the following paragraphs: Air Training Corps

“(a) the periods and conditions of service of members, other than conditions of service with respect to which determinations under section 58B of the Defence Act may be made; and

“(b) the promotion of members.”

(2) Section 8 of the Principal Act is amended by inserting in sub-section (9) “, to any determinations in force under section 58B of the Defence Act” after “regulations”.

5. The Principal Act is amended as set out in the Schedule to this Act. Formal amendments

6. Notwithstanding the amendment made by sub-section 4 (1), the regulations that were in force under the *Air Force Act* 1923 immediately before the date (in this section referred to as the “relevant date”) of commencement of this section (including any such regulations as Saving

amended by determinations made under section 12 of the *Defence Amendment Act 1979*) and any determinations, directions or approvals that were in force under those regulations immediately before the relevant date shall, to the extent that they are not inconsistent with the *Air Force Act 1923* as in force on the relevant date, continue in force on and after the relevant date as if those regulations had been made under the last-mentioned Act as so in force.

SCHEDULE

Section 5

FORMAL AMENDMENTS

Provision Amended	Omit—	Substitute—
Section 2 (definition of “the Defence Act”)	1903-1964	1903
Section 2 (definition of “the Naval Defence Act”)	1910-1964	1910
Section 2 (definition of “this Act”)	the <i>Air Force Act 1923-1964</i>	this Act
Section 4A	three	3
Section 4E	<i>Defence Act 1903-1965</i>	Defence Act
Sub-section 4H (3)	the last preceding sub-section	sub-section (2)
Sub-section 4H (4)	twelve	12
	the last preceding sub-section	sub-section (3)
Sub-section 4H (5)	the last preceding sub-section	sub-section (4)

NOTES

1. Act No. 134, 1979; assented to 23 November 1979.
2. Act No. 33, 1923, as amended. For previous amendments *see* Act No. 74, 1939; No. 12, 1941; No. 80, 1950; No. 15, 1952; No. 75, 1956; No. 94, 1964; No. 50, 1965; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1975; and No. 138, 1976.